

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
CENTRAL DIVISION**

UNITED STATES OF AMERICA

PLAINTIFF

v.

CASE NO. 4:19-CR-00184-BSM

MELVIN DESHAWN SHEPARD

DEFENDANT

ORDER

Melvin Shepard's pro se motion for judicial recommendation and time credits [Doc. No. 46] is denied. Although I can make a non-binding recommendation as to where Shepard may be placed, the Bureau of Prisons (BOP) has the authority to designate his place of confinement. *See* 18 U.S.C. § 3621(b); *United States v. McGowan*, No. 19-CR-0114, 2022 WL 17369665, at *1–2 (D. Minn. Dec. 2, 2022). The request for a sentencing modification is denied because no extraordinary and compelling reasons for a modification have been presented. *See United States v. DeFoggi*, Nos. 22-2327 & 22-2394, 2023 WL 4112142, at *1–3 (8th Cir. June 22, 2023) (per curiam) (post-sentencing rehabilitation coupled with non-individualized prison conditions not enough). Finally, the motion for sentencing credit is denied because I have no authority to award time-served credit; that authority rests with the Attorney General, acting through the BOP. *See United States v. Wilson*, 503 U.S. 329, 333–36 (1992).

IT IS SO ORDERED this 14th day of April, 2025.


UNITED STATES DISTRICT JUDGE